

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.48214 of 2017
Date of Decision : 29.01.2018**

Bhagwat Sharma and another

.....Petitioners

Versus

State of UT Chandigarh and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Ms. Sakshi Doda, Advocate for
Mr. D.S. Matya, Advocate
for the petitioners.

Ms. Ravinder Gill, Advocate for
Mr. J.S. Toor, APP, U.T., Chandigarh
for respondent No.1.

Mr. Tushar Gautam, Advocate
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R No.251, dated 23rd October, 2016, under Sections 406, 420 of the Indian Penal Code, registered at Police Station Sector-36, Chandigarh (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending therefrom, on the basis of compromise.

2. Now the complainant/respondent No.2 has arrived at a settlement with the accused persons vide Compromise Deed (Annexure P-2), which is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Ld.

Judicial Magistrate 1st Class, Chandigarh, vide report dated 23rd January, 2018 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondents No.2 is represented by his counsel and does not dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate 1st Class, Chandigarh, and in view of the decision of the Hon'ble Supreme Court in **“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543** and **“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466**, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/accused persons.

5. In the circumstances, the present petition is allowed. F.I.R No.251, dated 23rd October, 2016, under Sections 406, 420 of the Indian Penal Code, registered at Police Station Sector-36, Chandigarh (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioners.

January 29, 2018
Dpr

(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No